

## ANCHOR FOR METAL FENCE POST

### CROSS-REFERENCE TO RELATED APPLICATION

This application is an original nonprovisional application. It does not claim priority back to any previously filed patent application.

### BACKGROUND OF THE INVENTION

#### 1. Field of the Invention.

The present invention relates to the field of post anchors and, in particular, post anchors designed for use in connection with metal fence posts.

#### 2. Description of the Related Art.

A number of inventions have been patented that attempt to solve the problem of preventing a fence post from coming out of the ground. None of these inventions is as simple to install, easy to manufacture, and effective as the present invention. Some of these inventions cannot be used with contemporary metal fence posts, many of them require alteration of the fence post, and all of them consist of more than one part. The present invention, on the other hand, is designed specifically for use with modern metal fence posts, it does not require any alteration of the fence post, it provides resistance on both sides of the fence post, and it consists only of a single piece of material. For these reasons, it is superior to any of the previously patented inventions discussed below.

U.S. Patent No. 1,169,821 (Hindmarsh, 1916) discloses a fence post constructed of sheet steel that is bent so that its general shape in cross-section is that of a V, and wherein each limb of the V is bent backward so as to form a vertical flange that lies parallel or nearly parallel with the limb of the V. According to the inventor, this shape

would greatly stiffen the post so that it would resist the tendency to buckle under horizontal pressure. The lower end of the post is pointed, and barbs are located at the end of each limb of the V. Pivoting plates are optionally attached to the post to provide further resistance.

U.S. Patent No. 1,717,557 (Halgrimson, 1928) provides a fence post anchor that mounts to the front of a steel post. The anchor device consists of four parts, namely, an attaching plate that is riveted to the post, a second plate that extends outward when the fence post is pulled upward, hinges or rings that secure the second plate to the attaching plate, and stop wings that limit the downward movement of the second plate. This particular anchor device provides resistance only on the front of the fence post.

U.S. Patent No. 1,955,902 (Bullard, 1934) relates to an anchor device for a metal fence post. This device was designed to work with the older style of metal fence posts that do not have knobs on the front face of the post and would not likely work with today's fence posts. The device comprises a post, a tapered plate attached to the post, an abutment that extends angularly from the plate, an anchor plate that is pivotally connected to the tapered plate, and a lever. When upward force is applied to the lever, it causes an outward movement of the anchor plate, which provides the anchoring resistance.

U.S. Patent No. 2,705,548 (Lionberger, 1955) describes another fence post anchor means. This device is designed to work with today's metal fence posts, but it requires alteration of the steel spade that is attached to the fence post. The anchor device comprises a pair of triangular movable plates that are mounted with hinges on each side

of the existing spade on the front face of the fence post. These movable plates are curved downward at their tips.

Lionberger patented another fence post anchor device in U.S. Patent No. 2,910,149 (Lionberger, 1959). This device was designed to work with modern metal fence posts, and it consists of one main flange with a pointed bite portion opposite a short side. The short side of the flange is attached to the fence post with hooks that loosely embrace the edges of the fence post. The flange also has a resilient tongue whose purpose is to accommodate the knobs or bosses that protrude from the front face of the fence post.

U.S. Patent No. 4,663,902 (Abbott, Jr., 1987) discloses a fence post anchor that consists of a spade pivotally attached to a post and held in place by the use of a flexible strap. This particular device was designed for use with wood fence posts and is not adapted to work with modern metal fence posts.

U.S. Patent No. 5,058,337 (O'Connor, 1991) provides a ground anchor that could be adapted for use with metal fence posts, although the patent itself does not explain how the device would attach to a metal fence post. Alteration of the fence post, or modification of the invention, would likely be required. The anchor device comprises a post, a plate of non-uniform thickness with bendable portions and a rigid portion, and a limit stop plate secured to the front face of the post.

U.S. Patent No. 5,428,927 (Webb *et al.*, 1995) discloses an anchor device that can be used with modern metal fence posts, but it requires alteration of the fence post for installation. The anchor device consists of an extending leg with an opening near the base end (in other words, a hole has to be drilled in the fence post), an elongated anchor

with a longitudinal slot for receiving a portion of the post leg, and a pin that engages the anchor and passes through the leg opening.

In addition to the patents discussed above, which attempt to solve the problem of fence posts coming out of the ground, there are a number of patents that provide other types of anchoring devices. Although they are similar to the present invention in that their purpose is to keep something in the ground, none of these inventions possesses the simplicity of design and uniqueness of purpose of the present invention.

For example, the anchor device of U.S. Patent No. 1,726,526 (Colvin, 1929) includes a shaft that drives the anchor device into the ground. The upper end of the shaft has an eye for the attachment of a guy line, and the lower end of the shaft has an eye through which a pivot pin is placed. Two flukes are pivotally mounted on the pin, and the shaft is surrounded by a conical enlargement that spreads the upper ends of the flukes when the guy line is pulled.

U.S. Patent No. 1,774,288 (Nickerson, 1930) describes a rather complicated sign post anchor comprising a post, an anchor foot affixed to the post with side shoulders positioned laterally in relation to the post, a collar on the post above the side shoulders, and ground anchor arms that pivot on the collar and that engage the side shoulders when positioned horizontally. The collar is secured to the post with a pin and has cutaway portions that define spaced shoulders. The pins are positioned in relation to the spaced shoulders such that they limit rotational movement of the post and foot.

U.S. Patent No. 1,807,488 (Michalick, 1931) involves an anchoring device that is adapted for use in securing guy lines. The anchoring device includes a pair of arcuate sections that are transversely corrugated and that have at their upper edge an intumed

flange that extends slightly downward toward the center of the device. Each arcuate section has two apertured ears, to which are connected links that are in turn pivotally connected to a floating plate at the bottom of the device. A rigid plate lies on top of the sections and has an opening through which a threaded rod is placed. The rod engages with an internally threaded boss and connects the anchor device to the object it is intended to secure. Rotation of the rod causes the two sections to be forced apart, which provides the anchoring resistance.

U.S. Patent No. 2,334,989 (Brickman, 1943) discloses a metal highway guard support with two parallel flanges connected by a median web. The roadside flange connects to a resilient steel bracket that carries a plurality of cables to jointly form the guard rail element. A wing-like anchor plate is pivotally connected to the roadside flange through apertures in the flange. The anchor plate has a depending tongue that serves to stop the pivotal movement of the plate. The anchor plate is the same width as the roadside flange at its base but wider than the flange at its upper end.

U.S. Patent No. 2,243,886 (Scott, 1941) provides an airplane mooring anchor that operates by means of an anchor rod that sits inside of a driving tube. When the driving tube is raised, it causes the two portions of the anchoring root element to spread apart. The driving tube is then removed and a mooring eye is threaded onto the upper end of the anchor rod.

U.S. Patent No. 2,366,997 (Brand, 1945) involves a ground stake comprising a tubular shank, a pair of tapered flukes, and a pull cord. The pull cord is attached to the pivot of the flukes, directed over a pulley, and provided with a ring at its free end for attachment to a guy wire, tent rope, or other object that is to be anchored.

U.S. Patent No. 2,771,163 (Mafera, Jr., 1956) relates to a ground anchor that is comprised of a stake that is pointed at one end and that has at least one transverse slot. A fluke is placed into each transverse slot, and when the ground anchor is subjected to dislodging strains, the flukes move outward at right angles to the stake. Each stake wall has a hole for receiving guy lines.

U.S. Patent No. 3,012,644 (Bush, 1961) describes an anchor pile that operates by means of a steel cable. The anchor pile comprises a hollow elongated body adapted to be driven into the ground, openings in the side of the elongated body, anchoring flukes pivotally connected to the body and adapted to spread outwardly, shoulders on the flukes, and means for collapsing the flukes against the side of the body. The means for collapsing the flukes extends through the openings in the side of the body and upwardly inside the hollow body.

U.S. Patent No. 3,107,000 (Hynds, 1962) discloses another land anchor that requires an internal mechanism for its operation. The anchor comprises a shaft connected to a holding line at its upper end, a sleeve that surrounds the shaft and that can slide up and down on the shaft, and one or more flukes that are pivotally connected to the shaft. When the shaft is pulled upward, it causes the flukes to spread outward.

U.S. Patent No. 3,279,136 (Smith, 1966) describes an umbrella pile anchor with flukes that open outward in a direction opposite that of the present invention. Specifically, the tips of the flukes move from bottom to top upon opening, rather than from top to bottom, as is the case with all of the other anchoring devices discussed herein. This particular anchor device was designed for use in a shipyard and cannot be installed on a fence post. As with U.S. Patent No. 3,012,644 and U.S. Patent No. 3,107,000, this

anchor device requires an internal mechanism to open the flukes. In this case, the internal mechanism is an inner follower tube that sits inside of an outer follower tube.

U.S. Patent No. 4,015,433 (Shibata, 1977) describes a method for settling an anchor device in the ground involving deep shafts that are bored into the ground. The method involves pulling a release line to rotate cutting arms that are attached to the shaft.

U.S. Patent No. 4,738,060 (Marthaler *et al.*, 1988) provides a marker assembly for permanently locating underground utility elements. The marker assembly includes a non-removable plastic stake and a flat marker that sits above ground. The underground part of the stake has a pair of flexible barbs that serve to grip the earth and hold the marker in position.

U.S. Patent No. 4,738,063 (Alsop, 1988) discloses a ground anchoring system in which a generally flat anchor plate is secured to one end of a flexible anchor line and driven edge-first into the ground by a driving tool. According to the inventor, when the driving tool is removed and a lifting force is applied, the anchor plate tends to “skew” across the hole and resist extraction. This particular patent was intended to cover improvements devised by the inventor to prevent the anchor plate from rising back up the hole when the lifting force is applied. In U.S. Patent No. 5,255,480 (Alsop, 1993), the inventor added a spring mechanism designed to force the anchor plates open.

U.S. Patent No. 5,553,978 (Bates, 1996) provides a pivotable anchor for pilings. The anchor comprises a backing plate that is secured to the lower exterior portion of the piling, a pivot bracket that extends laterally out from the backing plate, a pivoting arm and a thrust plate.

U.S. Patent No. 5,623,843 (Sands, 1997) relates to an anti-theft motorcycle tethering device that can be driven through asphalt, tarmac or pavement. The device consists of a solid metal stake with collapsible barbs that retract while the stake is being driven into the ground and deploy after the stake is in the ground. The upper end of the stake is adapted to permit a motorcycle to be tethered to it.

U.S. Patent No. 6,474,028 (Cusimano *et al.*, 2002) and U.S. Patent Application Pub. No. 2002/0088186 (Cusimano *et al.*) both involve a ground anchor designed to secure modular buildings exposed to earthquake, high winds and floods. The ground anchor comprises a heavy steel rod with several inches of machine threading and an arrowhead with a pair of wedge-shaped wings, a pivotal fluke that is hinged to the shaft with a lateral pin, a stabilizer vane that slips down over the threaded portion of the steel rod, and a cap that interlocks with the stabilizer vane.

Finally, U.S. Patent Application Pub. No. 2003/0221378 (Krieger) describes elongated tethering stakes with pivotally connected claws that extend outward when upward pressure is placed on the stakes. The stakes are connected at their impact end to a securing line. This particular invention was intended for use in securing animals or goods to a particular location.

As is clear from the above discussion, although the concept of using flanges or flukes to oppose the upward pressure of a rod or stake is known in the art, no one has ever patented a fence post anchor that is designed to work with modern metal fence posts, that requires no alteration of the existing fence post, that provides resistance on both sides of the fence post by virtue of two extending arms, and that is made from a single piece of material.



## BRIEF SUMMARY OF THE INVENTION

The present invention is a fence post anchor comprising a lower portion, first and second supporting arms, and first and second main arms—all made out of a single piece of material. When installed, the first and second supporting arms wrap around the front face of a metal fence post, and the first and second main arms prevent the fence post from rising up out of the ground after the fence post has been driven into the ground. The first and second main arms are configured such that they will spread outward and provide resistance if the fence post is subject to upward pressure. The first and second supporting arms ensure that if the fence post is pulled upward, the anchor will bend at a point above the supporting arms rather than at the base of the anchor, which would cause the anchor to dislodge from the fence post.

In one embodiment, the first supporting arm is closer to the bottom end of the anchor than the second supporting arm, such that when the anchor is installed, the first and second supporting arms lie in the same vertical plane and do not overlap. In this embodiment, the first and second supporting arms fit between any two contiguous knobs of the front face of the metal post, and the first and second supporting arms do not extend horizontally beyond the knobs. The top portion of the first and second main arms extends horizontally beyond the front face of the metal fence post, and the top edge of the top portion can be flat or rounded.

In another embodiment, the first supporting arm comprises one or more tabs, and the second supporting arm comprises one or more cut-outs. As in the first embodiment, the first and second supporting arms are wrapped around the front face of the fence post, but in this embodiment, the first and second supporting arms are equidistant from the

base of the anchor, which means they overlap with one another when the fence post anchor is installed. Each tab of the first supporting arm is bent over the second supporting arm and through a cut-out in the second supporting arm. Also in this embodiment, each main arm has a folded flange that is folded inward toward the metal post and tucked in behind the front face of the metal post.

The present invention can be made out of any material suitable for the purposes described herein, including, but not limited to, stainless steel, hot rolled mild steel, aluminum and plastic. The present invention is easily manufactured by cutting the material in a pattern that can be folded into the shape of the fence post anchor and then folding the cut material into the appropriate shape for the particular embodiment.

#### BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a perspective view of the first embodiment of the present invention as it is installed on a metal fence post.

Figure 2 is a perspective view of the first embodiment of the present invention before it is installed on a metal fence post.

Figure 3 is a perspective view of the second embodiment of the present invention.

Figure 4 is a perspective view of the third embodiment of the present invention as it is installed on a metal fence post.

Figure 5 is a perspective view of the third embodiment of the present invention before it is installed on a metal fence post.

Figure 6 is a perspective view of the fourth embodiment of the present invention before it is installed on a metal fence post.

Figure 7 is a perspective view of the fifth embodiment of the present invention as it is installed on a metal fence post.

Figure 8 is a perspective view of the fifth embodiment of the present invention before it is installed on a metal fence post.

Figure 9 is a flat pattern view of the first embodiment of the present invention.

Figure 10 is a flat pattern view of the second embodiment of the present invention.

Figure 11 is a flat pattern view of the third embodiment of the present invention.

Figure 12 is a flat pattern view of the fourth embodiment of the present invention.

Figure 13 is a flat pattern view of the fifth embodiment of the present invention.

#### REFERENCE NUMBERS

- 1 Lower portion
- 1A "U" formed by lower portion
- 1B Bottom end (or base) of lower portion
- 2 First supporting arm
- 2A Tab of first supporting arm
- 3 Second supporting arm
- 3A Cut-out of second supporting arm
- 4 First main arm
- 4A Folded flange of first main arm (or first folded flange)
- 5 Second main arm
- 5A Folded flange of second main arm (or second folded flange)
- 6 Front face of metal fence post

- 6A Back end of metal fence post
- 7 Knob
- 8 Top edge of main arms
- 9 Beveled edge
- 10 Downward extension
- 11 Notch

### DETAILED DESCRIPTION OF INVENTION

The uniqueness of the present invention lies in the fact that it is constructed of a single piece of material, requires no alteration of the existing fence post, and can be installed easily by bending two supporting arms. It is these features that distinguish the present invention from any of the prior art. Several different embodiments are depicted in the drawings and discussed below, but each of them shares these unique features.

Figure 1 is a perspective view of the first embodiment of the present invention as it is installed on a metal fence post. The present invention comprises a lower portion 1 that is connected to a first main arm 4 and a second main arm 5. Each of the main arms is in the shape of an upside-down "L." Extending from the lower portion 1 are a first supporting arm 2 and a second supporting arm 3, both of which wrap around the front face of the fence post 6. When the present invention is installed, the first supporting arm 2 lies directly beneath the second supporting arm 3 and on the same vertical plan as the second supporting arm 3. The present invention is configured such that both of the supporting arms can fit between a pair of knobs 7 on the fence post. This first embodiment of the present invention is also configured so that the supporting arms 2, 3 do not extend horizontally beyond the fence post knobs 7. This particular configuration

ensures that the supporting arms 2, 3 will not be bent or dislodged by rocks or other hard objects when the fence post is pounded or driven into the ground.

Figure 2 is a perspective view of the first embodiment of the present invention before it is installed on a metal fence post. To install the present invention, the back end 6A of the fence post is first inserted into the “U” formed by the lower portion 1A of the present invention. The supporting arms 2, 3 are bent so that they wrap around the front face of the fence post 6. With the present invention installed, the fence post can be pounded or driven into the ground. When the fence post is subject to upward pressure, the main arms 4, 5 spread outward and away from the metal fence post, providing resistance to the upward pressure. The presence of the supporting arms ensures that the present invention will bend at the point above the second supporting arm 3, not at the base of the lower portion 1B.

Figure 3 is a perspective view of the second embodiment of the present invention. In this embodiment, the top edge 8 of the main arms 4, 5 is rounded rather than straight. All other aspects of this second embodiment are the same as in the first embodiment.

Figure 4 is a perspective view of the third embodiment of the present invention as it is installed on a metal fence post. This embodiment differs from the first and second embodiments in two respects. First, the second and third supporting arms 2, 3 are equidistant from the bottom end of the lower portion 1B. Thus, the second supporting arm 3 lies directly on top of the first supporting arm 2 when this embodiment is installed. The first supporting arm 2 includes a tab 2A that is folded down over the second supporting arm 3. The purpose of the tab 2A is to keep the two supporting arms in place

and to prevent them from being dislodged when the fence post experiences upward pressure.

The second aspect in which this third embodiment differs from the first two embodiments is that the folded flanges 4A, 5A of the first and second main arms 4, 5 are folded inward toward the metal fence post and tucked behind the front face of the fence post 6. This feature is intended to keep the present invention from collapsing against the fence post when the post is driven into the ground. In the first and second embodiments, the fact that the top portion of the main arms 4, 5 extends horizontally beyond the front face of the fence post 6 accomplishes this same purpose; in other words, it forces the main arms to remain in an open position as the fence post is driven into the ground.

Figure 5 is a perspective view of the third embodiment of the present invention before it is installed on a metal fence post. As is apparent from this figure, the first step in installing this embodiment is to wrap the first supporting arm 2 around the front face of the metal fence post 6. The second step is to wrap the second supporting arm 3 around the front face of the metal fence post 6 and position it directly on top of the first supporting arm 2. The tab 2A of the first supporting arm 2 should line up with the cut-out 3A of the second supporting arm 3. Next, the tab 2A of the first supporting arm 2 is bent over the second supporting arm 3 and through the cut-out 3A of the second supporting arm 3. This last step completes installation of this third embodiment.

Figure 6 is a perspective view of the fourth embodiment of the present invention before it is installed on a metal fence post. In this fourth embodiment, the first supporting arm 2 has two tabs 2A instead of one, and the second supporting arm 3 has two cut-outs 3A instead of one. In order to avoid overlapping the tabs and thereby increasing the

profile of the present invention, the tabs 2A are shorter than in Figures 4 and 5, and the cut-outs 3A are not as deep as shown in Figures 4 and 5. In addition, the width of the supporting arms may need to be increased in relation to the embodiment shown in Figures 4 and 5 so that the second supporting arm 3 will still retain sufficient strength to hold the fence post anchor together after the two cut-outs 3A are made. This increase in width of the supporting arms 2, 3 may make this particular embodiment more difficult to install than the other embodiments. All other aspects of this fourth embodiment are the same as in the third embodiment.

Figure 7 is a perspective view of the fifth embodiment of the present invention as it is installed on a metal fence post. The fifth embodiment is a variation of the third and fourth embodiments. In this embodiment, each supporting arm 2, 3 comprises a beveled edge 9 and a downward extension 10 rather than tabs 2a and cut-outs 3a. The first supporting arm 2 is bent so that it will fold underneath the second supporting arm 3, as depicted in Figure 7. The downward extensions are positioned such that they form a notch 11 into which the knob 7 directly beneath the notch 11 will fit. If the fence post 6 is subject to upward pressure, the knob 7 will move upward and into the notch 11, which will lock the anchor in place and prevent it from bending at the base of the lower portion 1B. As in the third and fourth embodiments, the main arms 4, 5 comprise folded flanges 4A, 5A that tuck in behind the front face of the metal fence post 6. Alternatively, the main arms could be straight as shown in Figures 1 and 2.

Figure 8 is a perspective view of the fifth embodiment of the present invention before it is installed on a metal fence post. As is apparent from this figure, the pre-installation version of this embodiment is not folded as tightly together as the other

embodiments. The “U” formed by the lower portion 1A is wider than in other embodiments, and the main arms 4, 5 are not as close together. To install this embodiment, the back end 6A of the metal fence post is placed inside the “U” formed by the lower portion 1A, and the metal fence post and anchor are driven into the ground. The driving force will cause the anchor to fold closer together and the notch 11 to form, as shown in Figure 7.

Figure 9 is a flat pattern view of the first embodiment of the present invention. This figure illustrates the shape of the one-piece material that forms the first embodiment of the present invention before it is folded into the configuration shown in Figure 2. The dotted lines of Figure 9 indicate where the material is folded to form the pre-installation product shown in Figure 2.

Figure 10 is a flat pattern view of the second embodiment of the present invention. This figure illustrates the shape of the one-piece material that forms the second embodiment of the present invention before it is folded into the configuration shown in Figure 3. The dotted lines of Figure 10 indicate where the material is folded to form the pre-installation product shown in Figure 3.

Figure 11 is a flat pattern view of the third embodiment of the present invention. This figure illustrates the shape of the one-piece material that forms the third embodiment of the present invention before it is folded into the configuration shown in Figure 5. The dotted lines of Figure 11 indicate where the material is folded to form the pre-installation product shown in Figure 5.

Figure 12 is a flat pattern view of the fourth embodiment of the present invention. This figure illustrates the shape of the one-piece material that forms the fourth



embodiment of the present invention before it is folded into the configuration shown in Figure 6. The dotted lines of Figure 12 indicate where the material is folded to form the pre-installation product shown in Figure 6.

Figure 13 is a flat pattern view of the fifth embodiment of the present invention. This figure illustrates the shape of the one-piece material that forms the fifth embodiment of the present invention before it is folded into the configuration shown in Figure 8. The dotted lines of Figure 10 indicate where the material is folded to form the pre-installation product shown in Figure 8. As is shown in Figures 7 and 13, when the first supporting arm 2 is slightly shorter than the second supporting arm 3, then the knob 7 fits squarely within the notch 11 created by the first and second supporting arms. In a slightly different version of this embodiment, the two supporting arms could be the same length, and the notch would be slightly wider on the side of the notch 11 that corresponds to whichever supporting arm was folded underneath the other.

The present invention could be made of any material that has the requisite strength and durability for the purposes served by the present invention. Some possible materials include stainless steel, hot rolled mild steel, aluminum and plastic.

The preferred embodiment of the present invention has been shown and described above; however, it will be apparent to those skilled in the art that many changes and modifications may be made without departing from the invention in its broader aspects. The appended claims are therefore intended to cover all such changes and modifications as fall within the true spirit and scope of the invention.